

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARK DOUGLAS,
Plaintiff

v.

MAJOR WESLEY E. NESBIT, et al.,
Defendants

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No. 1:16-cv-01836

(Judge Kane)

ORDER

AND NOW, on this 16th day of March 2017, in accordance with the Memorandum entered concurrently with this Order, **IT IS ORDERED THAT** Defendants' motion to dismiss (Doc. No. 8), is **GRANTED**, without prejudice to the Plaintiff's filing of a motion for leave to file a second amended complaint and proposed amended pleading that asserts his ADEA and Section 1981 claims against Defendant Deborah Nesbella within thirty (30) days of the date of this Order. See L.R. 15.1(a). **IT IS FURTHER ORDERED** that the case management conference scheduled for March 17, 2017 is **CANCELLED**.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania